

**9/17/07 - Monday, September 17, 2007**

CITY OF EAU CLAIRE

**PLAN COMMISSION MINUTES**

Meeting of September 17, 2007

City Hall, Council Chambers

7:00 p.m.

Members Present: Messrs. Levandowski, Larson, FitzGerald, Kayser, Waedt, Hughes, Kaiser

Staff Present: Messrs. Tufte, Reiter, Genskow, Chwala

The meeting was chaired by Mr. Levandowski.

1. **REZONING (Z-1395-07) - R-3P and C-2P to R-3P, Oxbow Apartments**  
**and**  
**SITE PLAN (SP-0740) - Oxbow Apartments Addition**

Bob Johnson has submitted a request to rezone property located at the northwest corner of Water Street and 10<sup>th</sup> Avenue from R-3P and C-2P to R-3P and to approve the General Development Plan (site plan) for an addition to Oxbow Apartments. The City Council had previously denied a request for an addition which included parking across the street on 10<sup>th</sup> Avenue. This new plan eliminates that parking lot.

The site plan shows a 16-unit addition to the existing Oxbow Apartments. The addition results in a 56-unit apartment with required parking for 93 vehicles. The site plan notes 93 stalls, including 23 garage stalls.

Skip Van Gordon, property owner, spoke in support. He stated that there is now consensus among the other property owners of the dental clinic with the layout and screening.

No one appeared in opposition.

Mr. FitzGerald moved to recommend approval of the rezoning and approve the site plan with the conditions listed in the staff report. Mr. Kaiser seconded and the motion carried.

2. **REZONING (Z-1396-07) - Chapter 17, Subdivision Code Amendment**

Mr. Tufte presented a proposed amendment to Chapter 17, Subdivision Code, which updates the code to provide consistency with the Comprehensive Plan as required by state law. He noted a recent notice of claim filed by surrounding towns provides urgency to the updating of the Subdivision Code. Subsection C provides a purpose statement and Item 1 under this subsection states the present 1 unit per 10-acre standard stated within the Comprehensive Plan and presently administered by the City. Item 2 provides that new lots for commercial and industrial development be approved by the Plan Commission. This is also a provision within the Comprehensive Plan presently administered by the City. Item 3 provides an exception to 10-acre density standard for rural homes based on a set of standards, plus an intergovernmental agreement. Mr. Tufte noted that staff has been attempting to negotiate with area towns.

Judy Bechard, 3719 W. Folsom Street, addressed the commission and read statements discouraging the adoption of the ordinance amendment and reconsideration of the Comprehensive Plan. She stated that the town has been meeting with City staff for the last year but progress for her has been difficult because the staff uses the Comprehensive Plan as a "bible" in negotiating issues.

Mr. Larson stated that the Eau Claire County's recent survey of county residents showed overwhelming support for controlled urban development near cities and maintaining of open space in the rural areas. Mr. Larson then moved to recommend the ordinance amendment. Mr. Waedt seconded and the motion carried.

3. **CONDITIONAL USE PERMIT (CZ-0718) - Private Utility Tower, 300 E. Hamilton Avenue**

The Plan Commission postponed consideration of this request to allow time for applicant to provide alternative designs/locations. Mr. Tufte reviewed several camouflaging techniques proposed by the applicant but he felt that they do not work for this site because of the height of the proposed tower. Clearwire US, LLC, is proposing a 125' high monopole tower with a utility cabinet.

Sarah Michaels and Ben Looney, for Clearwire, appeared in support. Mr. Looney stated that it would be hard to camouflage this tower. He again reviewed the area towers which were either too far or too close to serve the population area needed. He felt that towers often become part of the local landscape.

Sarah Michaels showed the demographics of the population area to be served by the new tower.

No one appeared in opposition.

Mr. Hughes stated that he expected a more specific site to the southeast would be requested by Clearwire. Mr. FitzGerald stated that the tower should be moved closer to the garage and not have any banners but kept as plain as possible to not attract attention.

Mr. Looney stated that the tower could be reduced to 100' in height and still meet their needs and provide for other users on the tower.

Mr. FitzGerald then moved to approve the request with the conditions listed in the staff report adding three conditions that: 1) the tower be 100' in height or less and be a monopole; 2) that the base of the tower be landscaped; and 3) that the pole be located close to the garage and tree grove as possible. Mr. Kaiser seconded and the motion carried.

4. **SITE PLAN (SP-0739) - Nestle, Temporary Offices**

Nestle Nutrition has submitted a site plan for temporary office to their existing facility on Venture Drive. The temporary trailers will be constructed northwest of the existing plan for accessory use offices. The trailers will house an engineering team to study the feasibility for a plant expansion and house the team during construction. Utilities will be provided to the trailers.

Mr. FitzGerald moved to approve the request with the condition listed in the staff report. Mr. Kayser seconded and the motion carried.

5. **DISCUSSION - Landscape Manual**

City Forester, Todd Chwala, presented a discussion of Ash species in the Landscape Manual and the species that are planted within the City. He showed maps of infestations in the Midwest, noting that to date none have been sited in Wisconsin. There will be a study of ash trees in Eau Claire next year to determine if any infected trees are within the community. Mr. Chwala stated that he would be available for consultation on major projects to review their landscaping plans. The Forestry Department already provides local retailers of trees information on better-suited boulevard trees.

6. **Minutes**

The minutes of the meeting of September 4, 2007, were approved.

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Fred Waedt  
Secretary